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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,677	12/17/2001	Patrick Baudisch	D/A1188Q2	5086

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Patent Documentation Center
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Rochester, NY 14644

EXAMINER	
BELL, PAUL A	

ART UNIT	PAPER NUMBER
2675	9

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/015,677	BAUDISCH ET AL.	
	Examiner	Art Unit	
	PAUL A BELL	2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 April 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 5, 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hogle, IV (5,923,307).

With regard to claim 1 Hogle teaches a method for displaying a perceived continuous image across first and second display areas, each display area having pixels of a given size and the pixel size of one display area is different than the pixel size of the other display area (With regard to mere "recitations" in preamble of claim see abstract, figures 3 and 4, items 41, 43 and C and further figures 9a and 9b teach a computer icon in "display properties window" getting larger when going from 1024X768 to 800X600 it is therefore inherent that the display "pixel" got larger) comprising: a) providing a first image to be displayed on the first display area (figure 4, items 41 and window C), b) providing a second image to be display on the second display area (figure 4, items 43 and window C) wherein the second image is a scaled portion of the first image such that when the images are displayed on the first and second display areas the resulting image appears substantially continuous to a viewer situated to view the image (figure 4 and column 2, lines 1-13), and c) transmitting the first image to the first display area and the second image to the second display area (figure 3, items 330, 332 and 306).

With regard to claim 2 Hogle teaches that the method of claim 1 wherein the first and second images are provided in a computer readable file (figure 1, item 302).

With regard to claim 4 Hogle teaches a method for displaying a perceived continuous image across n display areas, each display area having pixels of a given size and the pixel size of at least one display area is different than the pixel size of at least one other display area (With regard to mere "recitations" in preamble of claim see abstract, figures 3 and 4, items 41, 43 and C and further figures 9a and 9b teach a computer icon in "display properties window" getting larger when going from 1024X768 to 800X600 it is therefore inherent that the display "pixel" got larger)comprising: a) providing a first image to be displayed on the first display area(figure 4, items 41 and window C), b) providing n images to be display on the n display areas wherein at least one of the n images is a scaled portion of the first image such that when the images are displayed on the n display areas the resulting image appears substantially continuous to a viewer situated to view the image(figure 4, items 43 and window C), and c) transmitting the n images to the n display areas(figure 3, items 330, 332 and 306).

With regard to claim 5 Hogle teaches the method of claim 4 wherein the n images are provided in a computer readable file (figure 1, item 302).

With regard to claim 7 Hogle teaches a method for displaying a perceived continuous video image across first and second display areas, each display area having pixels of a given size and the pixel size of one display area is different than the pixel size of the other display area (With regard to mere "recitations" in preamble of claim see abstract, figures 3 and 4, items 41, 43 and C and further figures 9a and 9b teach a computer icon in "display properties window" getting larger when going from 1024X768 to 800X600 it is therefore inherent that the

display "pixel" got larger)comprising: a) capturing a first video image to be displayed on the first display area(figure 4, items 41 and window C), b) capturing a second video image to be display on the second display area wherein the second image is a scaled portion of the first image such that when the images are displayed on the first and second display areas the resulting image appears substantially continuous to a viewer situated to view the image(figure 4, items 43 and window C), and c) transmitting the first video image to the first display area and the second video image to the second display area(figure 3, items 330, 332 and 306).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hogle.

With regard to claim 3 Hogle does not teach the method of claim 1 wherein the first and second images are provided by a video camera, or with regard to claim 6 the method of claim 4 wherein the n images are provided by a video camera. The recitation "images are provided by a video camera" are merely directed towards an "obvious intended use" of the Hogle invention because Hogle has image files and how they were produced is not critical to his invention and to use a digital

camera to generate an image file would have been one of many obvious sources of data.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Seidensticker, Jr. (5,920,327) teaches a visual conception only of a display exhibiting "fisheye" geometrical distortion (See figure 2) . However his actual display item 18 every pixel is the same size as every other pixel and the transitions between different resolution regions are at best approximately continuous implemented by a series of discrete steps.

Walls et al. (6,088,005) also teaches a virtual workspace made up of 4 monitors (See figure 7) and this illustration required "homogeneous physical monitors" , "must support the same level of display, functionality, and resolution" (See column 6, lines 32-45).

Butler et al. (6,018,340) also teaches a virtual workspace made up of two monitors (SEE figures 7 and 11(a)) clearly illustrates monitors of different size that do not share a common top or bottom but still note how the image is continuous of item 90 window across the two different size displays (column 8, lines 1-20). This reference illustrates the same end results as applicants. Further NOTE this reference make a reference to the Hogle, IV reference (5,923,307) (SEE Butler et al. column 8, lines 1-20) for an illustration of different size displays.

Response to Arguments

6. Applicant's arguments filed 4/6/2004 have been fully considered but they are not persuasive.

The applicant on pages 6-8 to summarize argues "Hogle IV does not, scale an image to compensate for different pixel sizes and uses a very different methodology to determine what image portion is to be displayed on a given display" .... "Therefore, as scaling the images is not taught nor is it inherently present".

The examiner disagrees because Hogle, IV illustrates how different monitors can have different pixel sizes SEE figures 9a and 9b and he illustrates his end objective of dealing with this situation of different pixel sizes in figure 4 which illustrates a contiguous and non-overlapping region. Your claim is presently a mere recitations of a broad concept where Hogle IV clearly show the same problem and same end results as claimed. The applicant alleges there is a different methodology being used to solve the same problem but this is not relevant when the different methodology is not clearly put in the claim in the form of actual limitations.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., different methodology) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Bell whose telephone number is (703) 306-3019.

If attempts to reach the examiner by telephone are unsuccessful the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377 can help with any inquiry of a general nature or relating to the status of this application.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or Faxed to: (703) 872-9306

Or Hand-delivered to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

Paul Bell
Art unit 2675
June 19, 2004

CHANH NGUYEN
PRIMARY EXAMINER